

REMARKS

Claims 47-56 are pending in the application. Claims 47 and 52 are currently amended. Claims 57 and 58 are newly submitted. No new matter has been added as the amendments and the newly submitted claims have support in the specification as originally filed. It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Claims 47, 49-52, and 54-56 are rejected under 35 USC 103(a) as being unpatentable over Runkis (US 2003/0046338) in view of Murman et al. (US 2004/0225682). Claims 48 and 53 are rejected under 35 USC 103(a) as being unpatentable over the combination of Runkis and Murman in view of Sundius et al. (US 2003/0023577).

Substance of Interview

As a preliminary matter, Applicant gratefully acknowledges the courtesies extended by the Examiner in the July 7, 2010, telephone interview with Applicant's representative, Puya Partow-Navid. The Examiner's comments and explanations were helpful and very much appreciated. Pursuant to M.P.E.P. § 713.04, Applicant provides the following remarks.

Prior to the interview, the Examiner was provided with a proposed Amendment, which were similar in some parts with the present Amendment.

Independent claim 47 was discussed with regard to the Runkis reference. Applicant sought to understand the Examiner's interpretation of the present application. No agreement was reached.

Rejection under 35 USC 103(a) as being unpatentable over Runkis in view of Murman

Claims 47, 49-52, and 54-56 are rejected under 35 USC 103(a) as being unpatentable over Runkis in view of Murman.

As amended, claim 47 recites, in part, "the transport state values and the rendering state

values being transmitted separately from the media content, and the media content including at least one of audio data and video data” and “the media content is streamed from the server to the playing device according to the set transport state values and is rendered in the playing device according to the set rendering state values.”

Paragraph 70 of Runkis discloses that an “integrated globally distributed network populated by PANOs makes it possible for all transient users traveling through such a network to have access to essentially the same collections of digital information in each and every service zone they traverse. This is because all such collections of digital information are redundantly stored in every PANO.”

A review of the passage above reveals that Runkis arguably discloses redundantly storing digital information in every PANO to be accessed by the user as he travels throughout time zones. However, Runkis fails to expressly disclose that the media is streamed from a server to the playing device. Rather, Runkis expressly discloses storing the data files in each PANO, such that the user may access the data files (see Runkis paragraphs 72-81). Therefore, since Runkis is silent on streaming the content from a server to a playing device, Applicant submits that Runkis cannot teach or suggest that “media content is streamed from the server to the playing device according to the set transport state values and is rendered in the playing device according to the set rendering state values” and “the transport state values and the rendering state values being transmitted separately from the media content, and the media content including at least one of audio data and video data,” as recited in claim 47.

Applicant has demonstrated above that Runkis fails to teach or suggest various elements recited in independent claim 47. Additionally, Applicant submits that Murman fails to cure the stated deficiencies of Runkis, and therefore, claim 47 should be allowable over the cited combination of references. Furthermore, independent claim 52 recites elements similar to claim 47 and should be allowable for reasons similar to those presented with respect to claim 47. Finally, claims 49-51 and 54-56 should be allowable at least by virtue of their dependence on an allowable base claim.

Additionally, although not formally rejected, Applicant submits that independent claims 57 and 58 recite elements similar to independent claim 47 and should be allowable for

reasons similar to those presented with respect to claim 47.

Rejection under 35 USC 103(a) as being unpatentable over the combination of Runkis and Murman in view of Sundius

Claims 48 and 53 are rejected under 35 USC 103(a) as being unpatentable over the combination of Runkis and Murman in view of Sundius.

Applicant has demonstrated above that Runkis and Murman fail to teach or suggest various elements recited in independent claims 47 and 52. Applicant submits that Sundius fails to cure the stated deficiencies of Runkis and Murman, and therefore, claims 47 and 52 should still be allowable over the cited combination of references. Finally, claims 48 and 53 should be allowable at least by virtue of their dependence on an allowable base claim.

CONCLUSION

In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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Date: August 6, 2010

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